

cutting blade abuts against said substantially flat cutting surface during a cutting operation.'"

In view of the "serious omission" regarding Applicants' intention to amend claim 38 in the Amendment mailed October 13, 2000, Applicants' attorneys request withdrawal of the Final Office Action and entry of the present Supplemental Amendment.

As mentioned above, the present Supplemental Amendment is responsive to the Office Action mailed July 12, 2000.

Claims 11-19 and 23-33 are objected to under 37 CFR 1.75(c) as being of improper dependent form. Specifically, the Examiner noted that claim 11 depends from claim 2 which has been cancelled. In response, claim 11 has been amended to depend from independent claim 38. Thus, Applicants respectfully assert that claims 11-19 and 23-33 now satisfy the requirements of 37 C.F.R. § 1.75(c).

Claims 3-8, 11 and 38-39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 1,343,079 to *Fegley et al.* in view of U.S. Patent 1,122,558 to *Vertunni et al.* Referring to Figures 1 and 3, *Fegley* discloses a shearing machine including two opposing blades 11 and 3 that pass closely by one another in a scissor-like action to cut an object. The shearing machine includes base 1 having abutment 29 that is secured to base 1 by bolt 30. A lower cutting blade 3 is secured to base 1. The shearing machine includes a movable portion 10 having an upper blade 11 that opposes lower blade 3. During a cutting operation, an object being cut is placed atop abutment 29. The movable portion 10 of the shearing machine is then moved from the position shown in Figure 1 to the position shown in Figure 6 for cutting the object. As shown in Figures 3 and 6, the cutting edge of upper cutting blade 11 passes closely by an edge of abutment 29, however, the cutting edge of cutting blade 11 never engages the top surface of abutment 29. *Vertunni* also discloses a shearing machine including a knife blade 21 moveable between a first position shown in Figure 1 and a second position shown in Figure 2. As shown in Figures 2 and 3, an object is cut by a

FAX RECEIVED

JAN 12 2001

GROUP 3700

shearing action when blade 21 passes closely by a lower corner 46 of vertical flange 45. Col. 2, lines 95-112. As shown in Figure 3, the cutting edge of cutting blade 11 passes through slot 8, but never abuts against a cutting surface.

In response to the § 103(a) rejection of claim 38, Applicants have slightly amended independent claim 38 to more clearly distinguish the patentable features of the present application over Fegley and Vertunni. Specifically, claim 38 has been amended to add the recitation "wherein said cutting edge of said cutting blade abuts against said substantially flat cutting surface during a cutting operation." Support for this amendment is found in the specification at page 12, line 27-page 13, line 3, and in Figures 2A and 2B. In other words, as an object is cut by a blade, the underside of the object is supported by the cutting surface on both sides of the cut line through the object. This underside support on both sides of the cut line, results in a more aesthetically appealing cut that avoids uneven cut lines that may occur with shearing machines. For example, if a shade is cut with a shearing machine, the cut end of the shade will begin to fall away before the cut is complete. This may result in an uneven cut or deformation of the shade material which typically comprises a plastic material. Thus, it is important to support the underside of the object being cut on both sides of the cut line, whereby the cutting edge of a cutting blade abuts against a top of the cutting surface. For all of the above reasons, claim 38 is unobvious because the combination of Fegley and Vertunni neither discloses nor suggests an apparatus for cutting a window covering including "a base having a substantially flat cutting surface" and a cutting blade including a cutting edge "wherein said cutting edge of said cutting blade abuts against said substantially flat cutting surface during a cutting operation." Claim 39 is unobvious by virtue of its dependence from claim 38, which is unobvious for the reasons set forth above.

FAX RECEIVED

JAN 12 2001

GROUP 3700

Regarding claim 3, Applicants' cutting apparatus (Fig. 1) includes guide tracks 28A and 28B and a cutting assembly 32 slidably mounted in the guide tracks 28A, 28B. In Figure 1 thereof, Fegley shows blade 11 attached to a movable member 10 having a slot 12, however, the blade 11 is not slidably mounted in the slot 12. Thus, claim 3 is unobvious over the combination of Fegley and Vertunni because the combination of references neither disclose nor suggest that a frame supporting a cutting assembly "includes one or more guide tracks, said cutting assembly being slidably mounted in said one or more guide tracks." (Emphasis added). Claim 3 is also unobvious by virtue of its dependence from claim 38, which is unobvious for the reasons set forth above. Claims 4-8 are unobvious, *inter alia*, by virtue of their dependence either directly or indirectly from claim 38, which is unobvious for the reasons set forth above.

Claim 11 is unobvious because the combination of Fegley and Vertunni neither discloses nor suggests a "cutting surface" as described and shown in the present application. Fegley and Vertunni disclose shearing machines (i.e. a machine that cuts with scissorslike action), however, the references neither disclose nor suggest a cutting apparatus including a cutting surface that opposes the cutting edge of a cutting blade, whereby the cutting edge abuts against the cutting surface. Claim 11 is also unobvious by virtue of its dependence from claim 38, which is unobvious for the reasons set forth above.

Although the Examiner does not specifically reject claims 12-14, the Examiner's comments on page 4 of the Office Action indicate that the Examiner believes that claims 12-14 are also obvious. In response, Applicants respectfully assert that claim 12 is unobvious because Fegley neither discloses nor suggests a "backup opposing said cutting edge of said cutting blade." As discussed above, Fegley discloses a shearing machine whereby an upper cutting blade passes closely by a lower cutting blade (see blades 11 and 3 in Fig. 3 of Fegley). However, Fegley does not disclose or suggest a backup that opposes the cutting

FAX RECEIVED

JAN 12 2001

GROUP 3700

edge of the cutting blade whereby the cutting edge "repeatedly abuts against the backup 76 during cutting operation." See Applicants' specification at page 3, lines 1-3. For all of these reasons, claim 12 is unobvious and is otherwise allowable. Claim 12 is also unobvious by virtue of its dependence from claim 11, which is unobvious for the reasons set forth above. Claim 13 is unobvious by virtue of its dependence from claim 12. Claim 14 is unobvious because the combination of *Fegley* and *Vertunni* neither discloses nor suggests that the "backup includes a bar extending across said second end of said cutting surface." Clearly, as mentioned above, *Fegley* discloses a shearing machine having a scissorslike action. However, *Fegley* neither discloses nor suggests that its cutting blade 11 abuts against a backup extending across a second end of a cutting surface. Thus, claim 14 is unobvious and is otherwise allowable. Claim 14 is also unobvious by virtue of its dependence from claim 12, which is unobvious for the reasons set forth above.

Claims 15-19 and 23-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fegley* in view of *Vertunni* as applied claims 11 and 38, and further in view of U.S. Patent 5,339,716 to *Sands et al.* *Sands* discloses a shearing machine whereby the cutting edge 70 of a cutting blade 31 passes closely by a shear plate 42. See col. 7, lines 25-35. As a result, *Sands* does not overcome the deficiencies noted above with respect to *Fegley* and *Vertunni*. Thus, claims 15-19 are unobvious over the combination of *Fegley*, *Vertunni* and *Sands* and are otherwise allowable. With respect to claims 23-30, the Examiner asserts that *Sands* (Fig. 7) discloses a cutting blade 31 having a front surface 120, a tapered region 124 which tapers from back surface 122 into general proximity with cutting edge 70, a bevel 126 forming a larger acute angle 129 with longitudinal axis 128 and those tapered regions 124 which forms an acute angle 130. However, *Sands* does not overcome the deficiencies noted above with respect to *Fegley* and *Vertunni*. Thus, claims 23-30 are unobvious by virtue of their dependence either directly or

indirectly from claim 38, which is unobvious for the reasons set forth above.

Claims 20-22 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fegley* in view of *Vertunni* as applied to claim 38 above, and further in view of U.S. Patent 3,263,544 to *Margolien*. Referring to Figure 1, *Margolien* discloses a device 41 for securing an item 53 to be cut. However, *Margolien* does not overcome the deficiencies noted above with respect to *Fegley* and *Vertunni*. Thus, claims 20-22 are unobvious over the combination of *Fegley*, *Vertunni* and *Margolien*, and are otherwise allowable. With respect to claim 34, the Examiner asserts that *Margolien* discloses a measuring assembly 43 (Fig. 1). However, once again, *Margolien* does not overcome the deficiencies noted above with respect to the *Fegley* and *Vertunni* references. Thus, claim 34 is unobvious over the combination of *Fegley*, *Vertunni* and *Margolien* and is otherwise allowable. Claim 34 is also unobvious by virtue of its dependence from claim 38, which is unobvious for the reasons set forth above.

Claim 31 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fegley* in view of *Vertunni*, and further in view of *Sands* as applied to claim 30 above, and further in view of *Margolien*. In response, Applicants assert that claim 31 is unobvious by virtue of its dependence from claim 30 and for the reasons set forth above with respect to claim 34.

Claims 32-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fegley* in view of *Vertunni*, and further in view of *Sands*, and further in view of *Margolien* as applied to claim 31 above, and further in view of U.S. Patent 5,103,702 to *Yannazzone*. Referring to Figure 1, *Yannazzone* discloses a stop block 32 that abuts against the ends of slats 16. Initially, the slats 16 are fed against the stop 32 from the right so that all the slats are properly aligned against stop 32. Thereafter, clamps 34 are fastened to the stack of slats 16, whereupon the stop 32 is removed. The stop 32 is removed before the cutting operation so that the cut ends 16A of the slats are unconfined

and free to fall away after being cut to provide cut slats having a smooth end 16B with smooth corners 16C. However, Yannazzone's stop 32 is not mechanically coupled with the operation of the punching tool. In contrast, Applicants' stop block is mechanically coupled with a driver mechanism so that the stop block 118 moves away from a cut end of the shade during operation of the driver mechanism. Thus, claim 32 is unobvious because the combination of references cited by the Examiner neither discloses nor suggests that a "measuring assembly includes a stop block movable away from the second end of said cutting surface during operation of said driver." Claim 32 is also unobvious by virtue of its dependence from claim 38, which is unobvious for the reasons set forth above. Claim 33 is unobvious by virtue of its dependence from claim 32.

Claims 35-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of *Fegley* in view of *Vertunni*, and further in view of *Margolien* as applied to claim 34 above, and further in view of *Yannazzone*. In response, Applicants assert that claim 34 is unobvious by virtue of its dependence from claim 38, which is unobvious for the reasons set forth above. Claims 35 and 36 are unobvious by virtue of their dependence from claim 34, and claim 37 is unobvious by virtue of its dependence from claim 36.

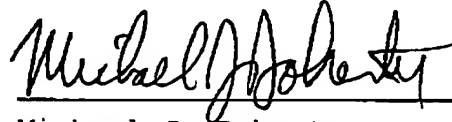
As it is believed that all of the objections, rejections and requirements set forth in the Office Action have been fully met, favorable reconsideration and allowance of all pending claims in the application are earnestly solicited.

Serial Application No. 09/245,596

If there are any additional charges in connection with this amendment, the Examiner is authorized to charge our Deposit Account, No. 12-1095.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP



Michael J. Doherty
Reg. No. 40,592

600 South Avenue West
Westfield, NJ 07090-1497
Telephone: (908) 654-5000
Facsimile: (908) 654-7866
290037_1.DOC

FAX RECEIVED

JAN 12 2001

GROUP 3700